REMARKS /ARGUMENTS

As an initial matter, Applicants appreciate the decision to grant-in-part the petition to rejoin the restriction. Applicants confirm election of the Group I, which encompasses the compound of Example I which was the provisional election made in the response to restriction requirement submitted on October 18, 2006.

In response of office action of December 20, 2006, Applicants have amended claims 1, 3-5, 8 and 10, submitted new claim 11 and canceled claim 9 without prejudice, which when considered with the following remarks, is deemed to place the present application in condition for allowance. Favorable consideration of all pending claims ins respectfully requested.

Specification:

Applicants submit a new abstract. The new abstract is in narrative form and is limited to a single paragraph containing about 50 words. The general nature of the compounds is given, as well as their uses.

It is submitted that the revised abstract is in proper language and format.

Claims objections

Claims 1-10 have been objected to for containing non-elected subject-matter. The non-elected subject matter has been removed from the scope of the claim.

Applicants reserve their rights to file continuation/divisional application(s) based on the currently deleted subject-matter.

Support for new claim 11 may be found on the specification, e.g. page 21, line 11 and page 22, line 13. No new matter has been introduced into the application by the instant amendments.

Claim objection under 35 USC §112

Claim 10 has been rejected under 35 USC §112, first paragraph, as falling to comply with enablement and written description requirements.

Claim 10, as amended, provides methods for preventing or treating acute or chronic transplant rejection. Support for the amendment to claim 10 may be found throughout the specification, e.g. page 21, line 2 or page 22, line 12. As amended, claim 10 clearly defines the diseases or disorders which can be treated by the claimed compounds.

The efficacy of the claimed compounds in treating or preventing graft rejection is shown in the patent specification, e.g. in the *in vivo* experiments described on page 20. For example, it is described that rats subcutaneously injected by spleen cells and subsequently treated with the

claimed compounds, show a clear and sharp inhibition of lymph node enlargement. The physiological activity of the compounds of claimed 1, i.e. their potency to treat or prevent graft rejection, is predictable in view of the teaching of the specification as a whole. The skilled person can carry out the invention claimed in claim 10 with assurance of success and without undue experimentation.
Therefore Applicants submit that the specification provides a full, clear and concise description of the claimed subject-matter, permitting the skilled person to make and/or use the invention and thus claim 10 complies with enablement requirement.

Applicants submit that the specification describes that the compounds of claim 1 are effective in treating or preventing graft rejection and thus claim 10 complies with written description requirement.

Applicants request withdrawal of the rejection and reconsideration of the claims.

Claim objection under 35 USC §103

Claims 1-10 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Albert at al. (WO 02/38561).

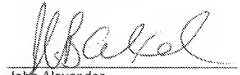
Applicants traverse the rejection.

As the reference is understood, Albert describes indolylmaleimide derivatives comprising either a substituted phenyl, naphthyl, tetrahydronaphthyl, quinazolinyl, quinolyl, isoquinolyl or pyrimidinyl residue, which have properties in the treatment and/or prevention of e.g. graft rejection. As acknowledged by the Examiner, Albert at al. does not describe indolylmaleimide derivatives comprising a pyridine ring in the R position.

Applicants submit that it would have not been obvious for the skilled person to prepare compounds of claim 1 showing therapeutic effects, e.g. in prevention or treatment of graft rejection, with reasonable expectation of success. Due to the structural differences between the indolylmaleimide derivatives described in Albert at al. and the compounds of claim 1, the skilled person could not have rationally predicted that the compounds of the present application have therapeutic benefits, e.g. in preventing or treating acute or chronic transplant rejection.
Therefore Applicants submit that compounds of the present invention are inventive over the cited prior art.

In view of the foregoing remarks and amendments, it is firmly believed that the present application is in order for allowance, which action is earnestly solicited.

Respectfully submitted,



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Attachment: Abstract